

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

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CHARLOTTE, N.C.

MAY 27 2010

Clerk, U. S. Dist. Court
W. Dist. of N. C.

JAMES MORRISON,

Plaintiff,

vs.

JEREMY MAURER,

Defendant.

CASE NO. 3:09-cv-458-RJC


**DEFENDANT'S MOTION TO DISMISS OR IN THE ALTERNATIVE
MOTION FOR MORE DEFINITE STATEMENT AND SANCTIONS**

Pursuant to Fed.R.Civ.P. 12(b)(6) and 12(e), Defendant Jeremy Maurer ("MAURER" or "Defendant"), moves this Court for an order (1) dismissing Plaintiff's claims for breach of contract or disparaging Plaintiff to third-parties for failure to state a claim or in the alternative (2) require Plaintiff to provide a more definite statement on his claim for damages.

In support of this Motion, Defendant incorporates and relies upon his Memorandum of Law in Support of Defendant's Motion to Dismiss or in the alternative Motion for More Definite Statement and Sanctions.

Dated: May 25, 2010

Respectfully submitted,



Jeremy Maurer, Defendant Pro Se
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing **Defendant's Motion to Dismiss or in the alternative Motion for More Definite Statement and Sanctions** has been served upon the counsel for parties in interest by mailing same to the office of said counsel by United States Mail with sufficient postage thereon to carry the same to its destination:

Stephen D. Koehler, Esq.
KOEHLER & ASSOCIATES
13850 Ballantyne Corporate Place, Suite 500
Charlotte, NC 28277-2830



Chris Drelich

Dated: May 25, 2010